

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DISH NETWORK L.L.C.,

Plaintiff,

v.

MOHAMED OMAR,
HOSSAM ABD ELGHANY, and
MOUSTAFA MAATOUK, individually
and together d/b/a Universe IPTV;
Universe TV; World-Universeiptv.com;
Uni-Update.com; and Uni-Web.online,

Defendants.

Civil Action No. 4:20-cv-02958

PLAINTIFF DISH NETWORK L.L.C.’S STATUS REPORT

Plaintiff DISH Network L.L.C. (“DISH”) files this status report in advance of the initial pretrial and scheduling conference set to be held on April 30, 2021 at 2:00 pm. (Dkt. 9.) DISH has been unable to confer with Defendants or prepare a joint discovery/case management plan as required by Fed. R. Civ. P. 26(f) because it has been unable to confirm whether the Defendants have been served, DISH has not been contacted by the Defendants, and Defendants have not filed a responsive pleading or otherwise appeared in this case.

On August 24, 2020, DISH filed its Complaint alleging copyright infringement against unidentified DOE Defendants operating the Universe IPTV service. (Dkt. 1.) DISH also filed a motion for leave to conduct expedited discovery to identify the DOE Defendants, which the Court granted on September 9, 2020. (Dkts. 3, 5.) On November 12, 2020, the Court granted DISH’s motion for an extension of time to identify and serve the Doe Defendants, extending the service deadline by 90 days to February 22, 2021. (Dkts. 7-8.) On December 4, 2020, DISH filed its First Amended Complaint (“FAC”) naming Defendants Mohamed Omar (“Omar”), Hossam Abd Elghany (“Elghany”), and Moustafa Maatouk (“Maatouk”), who are alleged to reside in the United

Arab Emirates (“UAE”), Egypt, and Germany, respectively. (Dkt. 10 ¶¶ 4-6.) On February 23, 2021, the Court granted DISH’s second motion for an extension of time to serve the Defendants, extending the service deadline by an additional 90 days to May 24, 2021. (Dkts. 13-14.)

Egypt and Germany are parties to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents (the “Hague Convention”). As such, Elghany and Maatouk are to be served through the Hague Convention. On December 14, 2020, DISH sent the summons, FAC, Order for Conference (Dkt. 9), and Courtroom Procedures to the Central Authority of Egypt for service on Elghany and the Central Authority of Germany for service on Maatouk. (Dkt. 13-1 ¶ 3; Dkt. 13-2, Ex. 1.) The Central Authority of Germany received Maatouk’s service materials on December 16, 2020. (Dkt. 13-1 ¶ 4; Dkt. 13-2, Ex. 2.) The Central Authority of Egypt received Elghany’s service materials on December 21, 2020. (Dkt. 13-1 ¶ 5; Dkt. 13-2, Ex. 3.)

DISH was unable to serve Omar in the UAE. (Dkt. 13-1 ¶ 7; Dkt. 13-2, Ex. 4.) An alternate address for Omar was identified in Egypt. (Dkt. 13-1 ¶ 8.) On January 6, 2021, DISH sent the summons, FAC, Order for Conference (Dkt. 9), and Courtroom Procedures to the Central Authority of Egypt for service on Omar. (Dkt. 13-1 ¶ 8; Dkt. 13-2, Ex. 5.) The Central Authority of Egypt received Omar’s service materials on January 10, 2021. (Dkt. 13-1 ¶ 9; Dkt. 13-2, Ex. 6.)

The Central Authorities of Egypt and Germany can take three to six months to serve a defendant through the Hague Convention.¹ Despite attempts to contact the Central Authorities of Egypt and Germany, DISH has been unable to confirm whether the Defendants have been

¹ See <https://www.hcch.net/en/states/authorities/details3/?aid=257>; <http://www.processnet1.com/egypt.htm>

served. DISH has not been contacted by the Defendants, and Defendants have not filed a responsive pleading or otherwise appeared in this case.

For these reasons, the parties have not conferred as required by Fed. R. Civ. P. 26(f), and counsel has been unable to prepare and file a joint discovery/case management plan. DISH will promptly notify the Court when Defendants are served, and DISH intends to confer with Defendants pursuant to Fed. R. Civ. P. 26(f) and file a joint discovery/case management plan after Defendants respond.

Dated: April 20, 2021

Respectfully submitted,

HAGAN NOLL & BOYLE LLC

By: /s/ Stephen M. Ferguson

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